United Nations A/60/767

General Assembly

Distr.: General
20 April 2006

Original: English

Sixtieth session
Agenda item 112 (e)
Elections to fill vacancies in subsidiary organs and other elections: election of 47 members of the Human Rights Council

Note verbale dated 29 March 2006 from the Permanent Mission of Portugal to the United Nations addressed to the Secretary-General

The Permanent Mission of Portugal to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to inform him that the Government of Portugal has decided to present its candidature to the United Nations Human Rights Council at the elections to be held in the General Assembly on 9 May 2006.

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Annex to the note verbale dated 29 March 2006 from the Permanent Mission of Portugal to the United Nations addressed to the Secretary-General

The Permanent Mission of Portugal to the United Nations presents its compliments to the Secretary-General of the United Nations and with reference to its note dated 29 March, has the honour to enclose a copy of the voluntary pledges and commitments in accordance with resolution 60/251, presented by Portugal in relation to its candidature to the Human Rights Council.

The Permanent Mission of Portugal would appreciate it if the Secretariat could post these pledges and commitments on the website of the General Assembly.

Enclosure

Voluntary pledges and commitments in accordance with resolution 60/251

The Portuguese long-standing commitment to human rights

Portugal is a country with a firm commitment to the respect for fundamental rights and freedoms, which are embodied in the Portuguese Constitution, and all other human rights enshrined in the international instruments to which Portugal is a party. In fact, rules provided for in international conventions that have been duly ratified or approved automatically apply in domestic law following their official publication.

Portugal is a party to the vast majority of international human rights instruments: it has signed and ratified six of the core United Nations human rights instruments, without any reservations.* Furthermore, in each case, Portugal recognizes the full range of competences available to each Committee, including the powers to examine individual and inter-State communications, and to undertake inquiry procedures.

Portugal is equally a party to the Rome Statute of the International Criminal Court and recognizes as compulsory the jurisdiction of the International Court of Justice. We also recognize ILO and UNESCO procedures.

At the European regional level, Portugal is a party to the European Convention on Human Rights and most of its protocols, and is therefore under the jurisdiction of the European Human Rights Court. We also recognize the competence of the European Committee on Social Rights and of the Committee for the Prevention of Torture.

Having regained democracy in 1974, Portugal has been since the 1980s an active member of the United Nations Commission on Human Rights striving for the promotion and protection of all human rights in all parts of the world, trying hard to bridge differences and to use dialogue as a way to move forward. In this regard, Portugal has always searched for a just and peaceful solution to the East Timor question in cooperation with the Secretary-General, and we recall the fundamental role played by the Commission on Human Rights in making known the struggle of the East Timorese.

In line with its long-standing commitment to promote and protect human rights and its support for the role of the United Nations, Portugal commits itself:

* Portugal is, in fact, a party to all the core United Nations human rights instruments, including the two international Covenants on human rights, the Conventions against racial discrimination and discrimination against women, the Convention on the Rights of the Child, the Convention against Torture, both Protocols to the International Covenant on Civil and Political Rights, both Protocols to the Convention on the Rights of the Child and the Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.

A. To fully cooperate with the Human Rights Council

1. By contributing to make this new Council an efficient and effective body of the United Nations.

2. By establishing a constructive dialogue and cooperation with members and non-members of the Council, ameliorating the quality of debates within the Council and participating actively in the work of the Council with traditional and possible new initiatives in all fields of human rights. In the Commission on Human Rights, Portugal has been the main sponsor of three resolutions: the resolution on the question of the realization in all countries of economic, social and cultural rights, the resolution on the right to education and the resolution on the protection of United Nations personnel.

3. By reiterating the standing invitation to the Special Rapporteurs and other special procedures.

4. By contributing to the establishment of a peer review mechanism that ensures an objective and dialogue-focused analysis of the human rights situations of all Member States.

5. By seeking the mainstreaming of human rights into the United Nations system to enhance the coordination of its activities and the effectiveness of the United Nations human rights machinery.

6. By deepening the promotion and protection of all human rights "with the same emphasis and on equal footing".

7. By improving the participation of NGOs as a positive and important element of the dialogue between States and civil society and ensuring that these organizations contribute to the work of the Council.

B. To promote and protect human rights at the international level

1. By encouraging States to become parties to the core human rights treaties and to fully implement their human rights obligations.

2. By participating actively in ongoing discussions aiming at improving the international human rights legal framework.

3. By making the international norms of human rights more widely known, accepted and respected and thus ensuring that human rights crises get an adequate and prompt response from the international community.

4. By giving greater attention to the implementation of economic, social and cultural rights, namely through the support given to the process aimed at elaborating an Optional Protocol to the International Covenant on Economic, Social and Cultural Rights. In that sense, in view of ensuring a negotiation process in a spirit of compromise and large consensus, Portugal commits itself to supporting the realization of informal and inter-sessional discussion forums on this issue. Our objective is to achieve an international instrument which gathers the widest possible consensus, which brings a significant added value to the spectrum of existing international treaties and which will be widely accepted and ratified by United Nations Member States.

5. By contributing through its bilateral development cooperation as well as through the United Nations system to the strengthening of democracy, good governance, rule of law and respect for human rights and fundamental freedoms.

6. By contributing, in a comprehensive understanding of human rights, to achieving the Millennium Development Goals within the framework of its development cooperation as well as within the United Nations system, namely by helping to combat HIV/AIDS, malaria and other diseases and to achieve universal primary education.

7. By promoting and protecting the rights of the child taking into account the best interest of the child.

8. By taking measures to eliminate all forms of gender discrimination, ensure gender equality, and promote and protect women's rights.

9. By contributing to the ongoing reform of the treaty body system and to the work of the Office of the United Nations High Commissioner for Human Rights, namely by making available to that Office the translation into Portuguese of human rights documents and publications relevant to Portuguese-speaking countries.

C. To promote and protect human rights at the national level

1. By proceeding further with its policy of ratification of the human rights treaties, avoiding the resort to reservations and, in this regard, to promptly ratify the Optional Protocol to the Convention against Torture and to support the approval of the draft international convention for the protection of all persons from enforced or involuntary disappearances.

2. By proceeding further with its policy of accepting the treaty bodies' individual and inter-State communications procedures and inquiry procedures.

3. By continuing to fully cooperate with the treaty monitoring bodies, implementing their recommendations and, in particular, submitting periodic reports on time.

4. By continuing to develop efforts undertaken within the United Nations Decade for Human Rights Education, inter alia by ensuring the diffusion of human rights education materials at the domestic level and in Portuguese-speaking countries.

5. By promoting the establishment of a national human rights mechanism to coordinate, at the highest level, existing human rights agencies as well as laws, programmes and policies with impact on human rights.

6. By improving the protection and promotion of the rights of women and ensuring that a gender perspective is mainstreamed into all policies and programmes adopted at the national level.

7. By improving the protection and promotion of the rights of the child and ensuring that a strong child rights perspective is included in all policies and programmes adopted at the national level.